Remarks & Arguments

In the Office Action, the Examiner noted that Claims 1-21 are pending in the application, and that Claims 1-21 are rejected. By this amendment, Claims 1, 8 and 15 have been amended. Thus, Claims 1-21 are pending in the application. The amendments to the claims do not add new matter to the application. The Examiner's rejections are traversed below.

Rejections Under 35 USC 103

Claims 1, 2, 7, 8, 9 and 14 stand rejected under 35 USC 103(a) as being obvious over Skeen et al. (5,557,798) in view of Joseph (6,038,603). With regard to independent Claims 1 and 8, the rejection alleges that Skeen discloses an Exchange Manager (communication interface) that performs communication in a computer system between applications and external communication hardware (Fig 1, element 20; col. 9, lines 10-14); the Exchange Manager handles different protocols through transaction with a communication library (communication interface references a communications component that handles a plurality of transport layer protocols; col. 9, lines 14-22; Fig. 1); and transferring data to an external system via defined protocols and mechanisms (Fig. 1; col. 9, lines 28-32). The rejection correctly notes that Skeen does not explicitly teach the application forwarding, to the Exchange Manager, data associate with a URL string, the URL string containing a transport mechanism and a destination. The rejection also alleges that Joseph discloses a URL containing a transport mechanism and destination that a

browser (application) uses to communicate with another computer (Fig. 3A, 3B; col. 4, lines 55-67; col. 5, lines 1-8).

The Applicant respectfully asserts that the rejection fails to comprise a prima facie case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggesting or incentive supporting the combination (see In re Geiger, 815 F.2d 686, 2 USPQ 2d 1276, 1278 (Fed. Cir. 1987)). It is impermissible to use the claimed invention as an instruction manual or template to piece together the teachings of the prior art so that the claimed invention is rendered obvious (In re Fritch, 972 F.2d 1260, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992)). The suggestion or teaching must come from the prior art (see Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 1051-52, 5 USPQ 2d 1434, 1438 (Fed. Cir. 1988)). Absent such a suggestion or teaching, it is inferred the references were selected with the assistance of hindsight (See In re Gorman 933 F.2d 982, 986, 18 USPQ 2d 1885, 1888 (Fed. Cir. 1991)). The mere fact that the prior art may be modified in the manner suggested does not make the modification obvious unless the prior art suggested the modification (In re Fritch).

Furthermore, the Applicant asserts that Skeen actually teaches away from the suggested combination. The communications interface module 20 of Skeen decouples application 16 from the details of ... the network address of application 18, ... as well as the details of the ... communication protocol necessary to send data across network 14 (col. 8, lines 32-47). Accordingly, Skeen does not teach or suggest an application resident on a handheld device

forwarding information having associated therewith a URL string containing a destination for said information. Skeen also does not teach or suggest an application resident on a handheld device forwarding information having associated therewith a URL string containing an identified transport mechanism.

Joseph also teaches away from the suggested combination. Joseph does not teach or suggest that the URL contains an identifier of a transport mechanism. Instead, Joseph teaches that the URL is constructed comprising a plurality of protocols. The plurality of protocols include an operation protocol and an encapsulating protocol. Joseph also does not teach or suggest that the supported protocol used to communicate the information is determined from a library utilizing the transport mechanism specified by the application. Instead, Joseph teaches that the application (e.g., browser) specifies both the operation protocol and the encapsulating protocol (col. 4, line 55 through col. 5, line 1-8; col. 5 line 53 through col. 6 line 35). According to Joseph if the handheld device supports the operation protocol, information is communicated to a system identified by the destination. If the handheld device does not support the operation protocol, the encapsulation protocol is utilized to make a request of another system to communication the information to the system identified by the destination. (Col. 6, lines 15-35). Hence, Joseph teaches away from the limitations of Claim 1 and 8 in that the URL contains an operating protocol and an encapsulation protocol instead of the transport mechanism. Furthermore, a supported protocol is utilized to communicate information to a system identified by the destination specified by the application.

The teachings of Joseph and Skeen also teach away from each other. Joseph teaches that the application specifies the destination for communicating information. However, Skeen decouples the application from having to specify the destination.

For the above-advanced reasons independent Claims 1 and 8 are not obvious in view the combination of Skeen and Joseph. Dependent Claims 2-7 and 9-14 depend upon Claims 1 and 8 respectively, and therefore are also allowable for the above-advanced reasons. Withdrawal of the rejection of Claims 1-14 is therefore respectfully requested.

Claim 15 stands rejected under 35 USC 103(a) as being obvious over Skarbo et al. (6,317,777). The rejection alleges that Skarbo teaches receiving a file of information (document from an external source (document server) (col. 10, lines 45-56); a URL associated with said file (col. 10, lines 16-25); identifying an application for said file based on the data type of said file and an application registry (col. 10, lines 52-56); and storing the file in memory and associating said file with a dataset associated with said application (col. 10, lines 52-56).

Applicant respectfully asserts that Skarbo does not teach or suggest the limitation of formatting the data such that it becomes a record of the format specific to the application that has been associated with the file based upon the data type, of Claim 15 as amended. Thus, Claim 15 is not obvious in view of Skarbo. Dependent Claims 16-21 depend upon Claim 15 and therefore are also allowable for the above-advanced reasons. Withdrawal of the rejection of Claims 15-21 is therefore respectfully requested.

<u>Conclusion</u>

For all the reasons advanced above, Applicant respectfully submits that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

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